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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## LOK SABHA

The following Bills were introduced in Lok Sabha on the 3rd December, 1965:—

BILL No. 85 OF 1965

*A Bill further to amend the Criminal Law Amendment Act, 1952.*

BE it enacted by Parliament in the Sixteenth Year of the Republic of India as follows:—

1. This Act may be called the Criminal Law Amendment (Amendment) Act, 1965. Short title.

2. In sub-section (*3A*) of section 8 of the Criminal Law Amendment Act, 1952 (hereinafter referred to as the principal Act), for the word and figures "section 350", the words and figures "sections 350 and 549" shall be substituted. Amendment of section 8.

46 of 1952.

Insertion of new section 11.

3. After section 10 of the principal Act, the following section shall be inserted, and shall be deemed always to have been inserted, namely:—

Military, naval and air force laws not to be affected.

"11. (*1*) Nothing in this Act shall affect the jurisdiction exerciseable by, or the procedure applicable to, any court or other authority under any military, naval or air force law.

(*2*) For the removal of doubts it is hereby declared that for the purposes of any such law as is referred to in sub-section (*1*), the court of the special Judge shall be deemed to be a court of ordinary criminal justice.".

Validation and indemnity.

4. No trial or other proceeding held or taken before, and no sentence passed by a court-martial or any other authority under any military, naval or air force law before the commencement of the Criminal Law Amendment (Amendment) Act, 1965, shall be called in question in any court merely on the ground that the court-martial or other authority had no jurisdiction by virtue of the provisions of the Criminal Law Amendment Act, 1952, and all such trials, proceedings and sentences shall, notwithstanding any judgment or order of any court, be as valid and operative as if they had been held, taken or passed in accordance with law; and accordingly no suit or other legal proceeding shall be maintained or continued against any person whatever on the ground that any such trial, proceeding or sentence was not held, taken or passed in accordance with law.

46 of 1952.

## STATEMENT OF OBJECTS AND REASONS

Under section 7(1) of the Criminal Law Amendment Act, 1952, notwithstanding anything contained in the Code of Criminal Procedure or in any other law, the offences specified in section 6(1) of the Act are triable by special Judges only. In the light of the judgment of the Supreme Court in Major E. G. Barsay *v.* State of Bombay (A.I.R. 1961 S.C. 1762), the view has been taken that the exclusive jurisdiction conferred upon the special Judge by section 7(1) of the Act would exclude the trial by a court-martial or other authority of any offence, the facts of which are such as to constitute an offence under section 6(1) of the Act. The view on which the military authorities have been proceeding so far, however, is that the jurisdiction in this respect is concurrent. It has, therefore, become necessary to amend the Act so as to insert a new section therein, as from the commencement of the Act, to save the jurisdiction exerciseable by a court-martial or other authority under the Army, Navy and Air Force Acts and to validate the trials held, proceedings taken and sentences passed by courts-martial and other competent authorities.

The Bill is intended to achieve the above objects.

NEW DELHI; JAISUKHLAL HATHI.

*The 25th November, 1965.*

BILL NO. 89 OF 1965

*a Bill further to amend the Indian Tariff Act, 1934.*

BE it enacted by Parliament in the Sixteenth Year of the Republic of India as follows :—

Short title and commencement.

**1.** (*1*) This Act may be called the Indian Tariff (Amendment) Act, 1965.

(*2*) It shall come into force on the 1st day of January, 1966.

Amendment of First Schedule.

**2.** In the First Schedule to the Indian Tariff Act, 1934, in Items Nos. 34(4), 60(7), 64(3), 64(5), 68(2A), 70A, 70(5), 72(14), 72(39) and 75(16),— 32 of 1934.

(*a*) in the third column headed "Nature of duty", for the word "Protective", wherever it occurs, the word "Revenue" shall be substituted ;

(*b*) in the last column headed "Duration of protective rates of duty", the entry "December 31st, 1965", wherever it occurs, shall be omitted.

## STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend the First Schedule to the Indian Tariff Act, 1934 (32 of 1934), in order to implement Government decisions on the Reports of the Tariff Commission on certain industries.

2. The industries in respect of which protection will be discontinued from 1st January, 1966 are :—

| S. No. | Item No. of Tariff | Name of Industry |
|---|---|---|
| 1. | 34(4) . . . . . | Safety Matches. |
| 2. | 60(7) . . . . . | Sheet Glass. |
| 3. | 64(3), 64(5), 68(2A), 70A and 70(5) . . . . . | Non-Ferrous Metals. |
| 4. | 72(14) . . . . . | Electric Motors. |
| 5. | 72(39) . . . . . | Power and Distribution Transformers. |
| 6. | 75(16) . . . . . | Automobile Sparking Plugs. |

NEW DELHI; MANUBHAI SHAH.

*The 30th November,* 1965.

BILL NO. 68 OF 1965

*a Bill to provide for the compulsory insurance of the Armed Forces personnel.*

BE it enacted by Parliament in the Sixteenth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Indian Armed Forces Personnel (Compulsory Insurance) Act, 1965.

(*2*) It shall come into force at once.

**2.** In this Act unless the context otherwise requires the Armed Forces personnel shall include Officers and other ranks including sepoys and soldiers commonly known as Jawans of the Army, Navy and Air Force. Definition.

**3.** (*1*) **The Central Government shall provide for compulsory insurance of all the Armed Forces personnel, each for a sum of Rs. 10,000 or above.** Compulsory insurance of armed forces personnel.

(*2*) **The premium shall be paid by the Central Government from the date of appointment of a person in the Armed Forces till such date as he continues to be in service.**

(*3*) On the death of such person, irrespective of the fact whether his death occurs while in active service or otherwise, the proceeds of the insurance shall be paid to his nominees or heirs.

**4.** In the case of the retirement of the person from service, the proceeds of his insurance shall be payable to him. Payment of sum assured on retirement.

## STATEMENT OF OBJECTS AND REASONS

As the Armed Forces personnel have to work under a great strain and also to risk their lives for the sake of the nation and for defending their country's sovereignty and integrity, it is desirable that their families and children may not have to suffer undue hardships on account of the death of the bread-earner. To obviate this difficulty and in fairness to the dependents of the Armed Forces personnel, it becomes obligatory on the part of the Government to provide compulsory insurance for the Armed Forces personnel.

NEW DELHI;
*October* 8, 1965.

M. L. DWIVEDI.

## FINANCIAL MEMORANDUM

The Bill envisages provision for a compulsory insurance of the Armed Forces personnel. Clause 3 of the Bill provides for compulsory insurance for a sum of Rs. 10,000 minimum or above. This clause no doubt involves some expenditure. No exact idea is possible at this stage as to the amount of recurring and non-recurring expenditure that may be required. But to start with, a non-recurring grant of Rs. 2 crores is required.

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S. L. SHAKDHER,
*Secretary.*

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